

RESEARCH APPENDIX

Date Transfer Requested: 11/30/2018 (Per: CMH)

☞ **Appendix AA ... has been added to the 2017 LRB-6071**

Appendix A ☞ LRB 17-5979

Appendix B ☞ LRB 17-5982

Appendix C ☞ LRB 17-5983

Appendix D ☞ LRB 17-5986

Appendix E ☞ LRB 17-5989

Appendix F ☞ LRB 17-5995

Appendix G ☞ LRB 17-5998

Appendix H ☞ LRB 17-6006

Appendix I ☞ LRB 17-6007

Appendix J ☞ LRB 17-6012

Appendix K ☞ LRB 17-6021

Appendix L ☞ LRB 17-6023

Appendix M ☞ LRB 17-6024

Appendix N ☞ LRB 17-6027

Appendix O ☞ LRB 17-6028

Appendix P ☞ LRB 17-6031

Appendix Q ☞ LRB 17-6036

Appendix R ☞ LRB 17-6037

Appendix S ☞ LRB 17-6038

Appendix T ☞ LRB 17-6046

Appendix U ☞ LRB 17-6047

Appendix V ☞ LRB 17-6048

Appendix W ☞ LRB 17-6049

Appendix X ☞ LRB 17-6050

Appendix Y ☞ LRB 17-6052

Appendix Z ☞ LRB 17-6059

Appendix AA ☞ LRB 17-6065

Appendix BB ☞ LRB 17-6067

2017 DRAFTING REQUEST

Bill

For: **John Nygren (608) 266-2343** Drafter: **eshea**
 By: **Nathan** Secondary Drafters:
 Date: **11/28/2018** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Nygren@legis.wisconsin.gov**
 Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Municipal flood control and riparian restoration program use of grant funds

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	eshea 11/28/2018	eweiss 11/28/2018			
/P1	eshea 11/29/2018	eweiss 11/29/2018	mbarman 11/28/2018		State
/P2			mbarman 11/29/2018		State

FE Sent For: **<END>**



11/28/18

Nathan - Rep. Nysgren

Budget — Arcadia flood control grant

May not use all during 17-19 FY

Allow use of grant & during 19~~20~~21 FY, too.

Shea, Elisabeth

From: Schwanz, Nathan
Sent: Wednesday, November 28, 2018 9:58 AM
To: Shea, Elisabeth
Subject: Municipal Flood Control Grant Program Amendment

Hi Liz,

Below is the LFB summary on the grant program. We would like to allow the funds to be spent in the next biennium.

9. MUNICIPAL FLOOD CONTROL GRANT PROGRAM Joint Finance/Legislature: Amend statutory authorities for the municipal flood control (MFC) program to specify, notwithstanding other current law provisions detailing grant eligibility, an applicant is eligible for financial assistance under the MFC program in the 2017-19 fiscal biennium if an applicant is requesting a state matching grant to support a project funded or executed in whole or in part by the U.S. Army Corps of Engineers under Section 205 of the federal Flood Control Act. Further, provide the state matching grant in an amount sufficient to accomplish the flood-control goals of the project as proposed in the MFC program application, but not to exceed \$14,600,000 in general fund-supported borrowing. Specify that funds are to be awarded from the unobligated bonding authority under the Knowles-Nelson Stewardship program from one or more of the 2014-15, 2015-16, or 2016-17 fiscal years. Additionally, require that any matching grant given preliminary approval by DNR under these provisions must be submitted to the Joint Committee on Finance for a passive review. If, after 14 working days, the Committee Co-Chairs inform DNR no objection has been raised to the proposal, funding for the project may be released. If the Committee Co-Chairs inform DNR an objection has been raised to the proposal, funds may be released only upon a vote by a majority of the Committee proceeding under s. 13.10 of the statutes. It is anticipated the City of Arcadia in Trempealeau County would be the only eligible grant recipient. [Act 59 Sections: 514n, 1818g, and 1818r]

Nathan Schwanz
Chief of Staff
State Representative John Nygren
Co-Chair, Joint Committee on Finance
608-266-2343



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-6065/Op1
EHS:
emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/28

Due today

SA
Xred
PWJ

- 1 AN ACT ^{Gen.}; relating to: certain grants under the municipal flood control and
2 riparian restoration program.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources administers the municipal flood control and riparian restoration program, which provides grants that pay a portion of the costs of facilities and structures for the collection and transmission of storm water, including the purchase of flowage and conservation easements on lands within floodways, and of floodproofing public and private structures located in the 100-year floodplain. Current law requires DNR to promulgate rules specifying eligibility criteria for projects and for determining which projects will receive financial assistance. However, under current law, during the 2017-19 fiscal biennium, DNR must consider an applicant to be eligible for such a grant if the project is funded or executed in whole or in part by the U.S. Army Corps of Engineers' small flood control projects program, and DNR must provide such an applicant with a cost-sharing grant not to exceed \$14,600,000. Under this bill, if DNR awarded such a grant during the 2017-19 fiscal biennium, DNR is authorized to release, and the grantee is authorized to use, during the 2019-21 fiscal biennium any of the grant amount awarded but not released or used during the 2017-19 fiscal biennium.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Nonstatutory provisions.

(1) MUNICIPAL FLOOD CONTROL AND RIPARIAN RESTORATION PROGRAM. If the department of natural resources awarded a grant under section 281.665 (4) (c) and (5) (d) during the 2017-19 fiscal biennium, the department may release during the 2019-21 fiscal biennium any of the grant amount awarded but not released during the 2017-19 fiscal biennium, and the grantee may use during the 2019-21 fiscal biennium any of the grant amount awarded but not used during the 2017-19 biennium.

(END)

Shea, Elisabeth

From: Shea, Elisabeth
Sent: Thursday, November 29, 2018 11:08 AM
To: Schwanz, Nathan
Subject: RE: Municipal Flood Control Grant Program Amendment

Categories:

Thanks, Nathan. I misunderstood what the issue was. This makes it clear.

Elisabeth H. Shea
Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 504-5885
elisabeth.shea@legis.wisconsin.gov

The information contained in this communication may be confidential and protected by the attorney-client privilege.

From: Schwanz, Nathan <Nathan.Schwanz@legis.wisconsin.gov>
Sent: Thursday, November 29, 2018 11:04 AM
To: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Subject: Re: Municipal Flood Control Grant Program Amendment

Thanks for the email. After looking at the first draft, I am not sure it accomplishes what we need it to. DNR won't be able to encumber any funds because the Army Corps of Engineers won't have the approval within the current biennium. As I understand it, we need to extend eligibility for the program/funding beyond the current biennium not contingent on it being encumbered prior to the end of the 17-19 biennium.

Looking at the current language in 281.665(5)(d), I think making the following change, or something similar to it, would accomplish what we need:

Notwithstanding pars. (a) to (c), during the 2017-19 or 2019-21 fiscal biennium, the department shall consider an applicant to be eligible for a cost-sharing grant for a project under this section if the project is funded or executed in whole or in part by the U.S. army corps of engineers under 33 USC 701s.

Get [Outlook for Android](#)

On Thu, Nov 29, 2018 at 10:02 AM -0600, "Shea, Elisabeth" <Elisabeth.Shea@legis.wisconsin.gov> wrote:

Hi Nathan,
I left you a voicemail this morning returning your call, but let me know if you have any follow up questions.
Lis

Elisabeth H. Shea

Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 504-5885
elisabeth.shea@legis.wisconsin.gov

The information contained in this communication may be confidential and protected by the attorney-client privilege.

From: Schwanz, Nathan <Nathan.Schwanz@legis.wisconsin.gov>
Sent: Wednesday, November 28, 2018 9:58 AM
To: Shea, Elisabeth <Elisabeth.Shea@legis.wisconsin.gov>
Subject: Municipal Flood Control Grant Program Amendment

Hi Liz,

Below is the LFB summary on the grant program. We would like to allow the funds to be spent in the next biennium.

9. MUNICIPAL FLOOD CONTROL GRANT PROGRAM Joint Finance/Legislature: Amend statutory authorities for the municipal flood control (MFC) program to specify, notwithstanding other current law provisions detailing grant eligibility, an applicant is eligible for financial assistance under the MFC program in the 2017-19 fiscal biennium if an applicant is requesting a state matching grant to support a project funded or executed in whole or in part by the U.S. Army Corps of Engineers under Section 205 of the federal Flood Control Act. Further, provide the state matching grant in an amount sufficient to accomplish the flood-control goals of the project as proposed in the MFC program application, but not to exceed \$14,600,000 in general fund-supported borrowing. Specify that funds are to be awarded from the unobligated bonding authority under the Knowles-Nelson Stewardship program from one or more of the 2014-15, 2015-16, or 2016-17 fiscal years. Additionally, require that any matching grant given preliminary approval by DNR under these provisions must be submitted to the Joint Committee on Finance for a passive review. If, after 14 working days, the Committee Co-Chairs inform DNR no objection has been raised to the proposal, funding for the project may be released. If the Committee Co-Chairs inform DNR an objection has been raised to the proposal, funds may be released only upon a vote by a majority of the Committee proceeding under s. 13.10 of the statutes. It is anticipated the City of Arcadia in Trempealeau County would be the only eligible grant recipient. [Act 59 Sections: 514n, 1818g, and 1818r]

Nathan Schwanz
Chief of Staff
State Representative John Nygren
Co-Chair, Joint Committee on Finance
608-266-2343



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-6065/P1 pz
EHS:emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

In 11/29

Due today

SA ✓
Xreg ✓
PWT ✓

Regen ✓

- 1 **AN ACT** relating to: certain grants under the municipal flood control and
2 riparian restoration program.

Analysis by the Legislative Reference Bureau

INSA

Under current law, the Department of Natural Resources administers the municipal flood control and riparian restoration program, which provides grants that pay a portion of the costs of facilities and structures for the collection and transmission of storm water, including the purchase of flowage and conservation easements on lands within floodways, and of floodproofing public and private structures located in the 100-year floodplain. Current law requires DNR to promulgate rules specifying eligibility criteria for projects and for determining which projects will receive financial assistance. However, under current law, during the 2017-19 fiscal biennium, DNR must consider an applicant to be eligible for such a grant if the project is funded or executed in whole or in part by the U.S. Army Corps of Engineers' small flood control projects program, and DNR must provide such an applicant with a cost-sharing grant not to exceed \$14,600,000. Under this bill, if DNR awarded such a grant during the 2017-19 fiscal biennium, DNR is authorized to release, and the grantee is authorized to use, during the 2019-21 fiscal biennium any of the grant amount awarded but not released or used during the 2017-19 fiscal biennium.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Nonstatutory provisions.

(1) MUNICIPAL FLOOD CONTROL AND RIPARIAN RESTORATION PROGRAM. If the department of natural resources awarded a grant under s. 281.665 (4) (c) and (5) (d) during the 2017-19 fiscal biennium, the department may release during the 2019-21 fiscal biennium any of the grant amount awarded but not released during the 2017-19 fiscal biennium, and the grantee may use during the 2019-21 fiscal biennium any of the grant amount awarded but not used during the 2017-19 biennium.

(END)

INS-2-9

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-6065/P2ins
EHS:emw

INSERT A

The bill extends this requirement to the 2019-21 biennium as well. ✓

INSERT 2-9

SECTION 1. 281.665 (5) (d) of the statutes is amended to read:

281.665 (5) (d) Notwithstanding pars. (a) to (c), during the 2017-19 and
2019-21 fiscal biennium bienniums, the department shall consider an applicant to
be eligible for a cost-sharing grant for a project under this section if the project is
funded or executed in whole or in part by the U.S. army corps of engineers under 33
USC 701s.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-6065/P2
EHS:emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1 **AN ACT** *to amend* 281.665 (5) (d) of the statutes; **relating to:** certain grants
2 under the municipal flood control and riparian restoration program.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Natural Resources administers the municipal flood control and riparian restoration program, which provides grants that pay a portion of the costs of facilities and structures for the collection and transmission of storm water, including the purchase of flowage and conservation easements on lands within floodways, and of floodproofing public and private structures located in the 100-year floodplain. Current law requires DNR to promulgate rules specifying eligibility criteria for projects and for determining which projects will receive financial assistance. However, under current law, during the 2017-19 fiscal biennium, DNR must consider an applicant to be eligible for such a grant if the project is funded or executed in whole or in part by the U.S. Army Corps of Engineers' small flood control projects program, and DNR must provide such an applicant with a cost-sharing grant not to exceed \$14,600,000. This bill extends this requirement to the 2019-21 biennium as well.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 281.665 (5) (d) of the statutes is amended to read:

2 281.665 (5) (d) Notwithstanding pars. (a) to (c), during the 2017-19 and

3 2019-21 fiscal ~~biennium~~ bienniums, the department shall consider an applicant to

4 be eligible for a cost-sharing grant for a project under this section if the project is

5 funded or executed in whole or in part by the U.S. army corps of engineers under 33

6 USC 701s.

7. (END)